

AUTO CR - LOG SUMMARY #1075022

TYPE: INFO

Incident Finding / Overall Case Finding

Description of Incident	Finding	Entered By	Entered Date
	(None Entered)		

Reporting Party Information

Role	Name	Star No.	Emp No.	UOA / UOD	Position	Sex	Race	Address	Phone
NON-CPD Reporting Party Third Party	[REDACTED]							[REDACTED]	

Incident Information

Incident From Date/Time	Address of Incident	Beat	Dist. Of Occurrence	Location Code	Location Description
14-JUL-2012 08:35 - 14-JUL-2012 08:35	[REDACTED]	0612	006	304 - STREET	

Accused Members

Role	Name	Star No.	Emp No.	UOA / UOD	Position	Status	Initial / Intake Allegation
CPD Employee Accused	BARTIK, ROBERT	907	[REDACTED]	006 / 171	SERGEANT OF POLICE	ON Duty	Plaintiff alleges malicious prosecution an conspiracy.
CPD Employee Accused	FORBERG, BRIAN	1564	[REDACTED]	005 / 212	SERGEANT OF POLICE	OFF Duty	Plaintiff alleges malicious prosecution an conspiracy.
CPD Employee Accused	JONES, DEVINN	1179	[REDACTED]	620 /	SERGEANT OF POLICE	OFF Duty	Plaintiff alleges malicious prosecution an conspiracy.
CPD Employee Accused	CAVAZOS, JESSE	14027	[REDACTED]	006 / 606	POLICE OFFICER	ON Duty	Plaintiff alleges malicious prosecution an conspiracy.
CPD Employee Accused	WALTER, SAJIT	11288	[REDACTED]	003 / 114	POLICE OFFICER	OFF Duty	Plaintiff alleges malicious prosecution an conspiracy.
CPD Employee Accused	EBERLE, KEVIN	20817	[REDACTED]	620 /	PO AS DETECTIVE ON Duty		Plaintiff alleges malicious prosecution an conspiracy.

Other Involved Parties

Role	Name	Star No.	Emp No.	UOA / UOD	Position	Sex	Race	Address	Phone
NON-CPD Victim/Subject	WILSON, TAHARI						BLK		

Involved Party Associations

Role	Rep. Party Name	Related Person	Relationship
Reporting Party Third Party	[REDACTED]	EBERLE, KEVIN	NO RELATIONSHIP
Reporting Party Third Party	[REDACTED]	FORBERG, BRIAN	NO RELATIONSHIP
Reporting Party Third Party	[REDACTED]	CAVAZOS, JESSE	NO RELATIONSHIP
Reporting Party Third Party	[REDACTED]	JONES, DEVINN	NO RELATIONSHIP
Reporting Party Third Party	[REDACTED]	WALTER, SAJIT	NO RELATIONSHIP
Reporting Party Third Party	[REDACTED]	BARTIK, ROBERT	NO RELATIONSHIP
Reporting Party Third Party	[REDACTED]		LAWYER

Incident Details

CR Required?		Manner Incident Received?	BELL
Confidential?		Biased Language?	N
Extraordinary Occurrence?	N	Bias Based Profiling?	N
Police Shooting (U)?	N	Alcohol Related?	N
Non Disciplinary Intervention:	N	Pursuit Related?	N
Initial Assignment:	IAD	Violence in Workplace?	N
Notify IAD Immediately?	N	Domestic Violence?	N
EEO Complaint No.:		Civil Suit Settled Date:	
Civil Suit No.:	[REDACTED]	Notify Chief?	
Notify Chief Administator?	N		

Notify Coordinator?

Notification Does Not Apply? Y

Notification Other? N

Notification Comments:

Incident Category List

Incident Category	Primary?	Initial?
03D - GROUP 03 - IMPROPER SEARCH ILLEGAL ARREST / FALSE ARREST	Y	Y
03D - GROUP 03 - IMPROPER SEARCH ILLEGAL ARREST / FALSE ARREST		N

Investigator History

Investigator	Type	Assigned Team	Assigned Date	Scheduled End Date	Investigation End Date	No. of Days
BATEY, TERRY	Primary	SOUTH INVESTIGATIONS SECTION	06-MAY-2015	05-JUN-2015	26-MAY-2015	20
STEHLIK, JOSEPH	Supervisor	SOUTH INVESTIGATIONS SECTION	06-MAY-2015	05-JUN-2015	26-MAY-2015	

Extension History

Name	Previous Scheduled End Date	Extended Scheduled End Date	Date Certified Letter Sent	Reason Selected	Explanation	Extension Report Date	Approved By	Approved Date	Approval Comments

Current Allegations

Accused Name	Seq. No.	Allegation	Category	Subcategory	Finding
EBERLE, KEVIN	1	[REDACTED] an attorney alleges on 11 July 2014 at 2035 hours at [REDACTED] that the accused Department member engaged in malicious prosecution and conspiracy against her client,	006 GROUP 06 - BRIBERY/OFFICIAL CORRUPTION	MISCELLANEOUS	NO AFFIDAVIT
FORBERG, BRIAN	1	[REDACTED] an attorney alleges on 11 July 2014 at 2035 hours at [REDACTED] that the accused Department member engaged in malicious prosecution and conspiracy against her client,	006 GROUP 06 - BRIBERY/OFFICIAL CORRUPTION	MISCELLANEOUS	NO AFFIDAVIT
CAVAZOS, JESSE	1	[REDACTED] an attorney alleges on 11 July 2014 at 2035 hours at [REDACTED] that the accused Department member engaged in malicious prosecution and conspiracy against her client,	006 GROUP 06 - BRIBERY/OFFICIAL CORRUPTION	MISCELLANEOUS	NO AFFIDAVIT
JONES, DEVINN	1	[REDACTED] an attorney alleges on 11 July 2014 at 2035 hours at [REDACTED] that the accused Department member engaged in malicious prosecution and conspiracy against her client,	006 GROUP 06 - BRIBERY/OFFICIAL CORRUPTION	MISCELLANEOUS	NO AFFIDAVIT
WALTER, SAJIT	1	[REDACTED] an attorney alleges on 11 July 2014 at 2035 hours at [REDACTED] that the accused Department member engaged in malicious prosecution and conspiracy against her client,	006 GROUP 06 - BRIBERY/OFFICIAL CORRUPTION	MISCELLANEOUS	NO AFFIDAVIT
BARTIK, ROBERT	1	[REDACTED] an attorney alleges on 11 July 2014 at 2035 hours at [REDACTED] that the accused Department member engaged in malicious prosecution and conspiracy against her client, Tahari WILSON.	006 GROUP 06 - BRIBERY/OFFICIAL CORRUPTION	MISCELLANEOUS	NO AFFIDAVIT

Situations (Allegation Details)

Accused Name	Alleg. No.	Situation	Victim/Offender Armed?	Weapon Types	Weapon Other	Weapon Recovered?	Deceased?

Status History

Resulting Status	Status Date/Time	Created By	Position	UOA / UOD	Comments
CLOSED/NO CONVERSION	27-MAY-2015 08:44	STEHLIK, JOSEPH	SERGEANT OF POLICE	121 /	
PENDING LIEUTENANT REVIEW	27-MAY-2015 08:43	STEHLIK, JOSEPH	SERGEANT OF POLICE	121 /	
PENDING INVESTIGATIVE REVIEW	26-MAY-2015 06:15	BATEY, TERRY	POLICE OFFICER	121 /	
PENDING INVESTIGATION	06-MAY-2015 10:54	O KELLY, PATRICK	SERGEANT OF POLICE	121 /	
PENDING ASSIGN INVESTIGATOR	06-MAY-2015 09:48	DUNN, BRENDA	SERGEANT OF POLICE	121 /	

Status History

Resulting Status	Status Date/Time	Created By	Position	UOA / UOD	Comments
PENDING APPROVE TEAM	06-MAY-2015 08:03	WATSON, JOHN	POLICE OFFICER	121 /	
PENDING ASSIGN TEAM	05-MAY-2015 03:32	QUERFURTH, PATRICK	SUPERVISING INV COPA	113 /	
PENDING SUPERVISOR REVIEW	05-MAY-2015 03:20	QUERFURTH, PATRICK	SUPERVISING INV COPA	113 /	
PRELIMINARY	05-MAY-2015 03:20	QUERFURTH, PATRICK	SUPERVISING INV COPA	113 /	check
PENDING SUPERVISOR REVIEW	05-MAY-2015 03:13	QUERFURTH, PATRICK	SUPERVISING INV COPA	113 /	
PRELIMINARY	05-MAY-2015 03:12	QUERFURTH, PATRICK	SUPERVISING INV COPA	113 /	

Attachments

No.	Type	Related Person	No. of Pages	Narrative	Original in File	Entered By	Entered Date/Time	Status	Approve Content	Approve Inclusion
1	FACE SHEET					QUERFURTH, PATRICK	05-MAY-2015 03:12			
1	INVESTIGATION					STEHLIK, JOSEPH	06-MAY-2015 02:11			
2	CONFLICT CERTIFICATION					BATEY, TERRY	06-MAY-2015 04:46			
3	DOCUMENTS - INVESTIGATION		1	Sworn Affidavit	Y	BATEY, TERRY	18-MAY-2015 08:46	APPROVED		
4	DOCUMENTS - INVESTIGATION		22	Civil Law Suit	Y	BATEY, TERRY	18-MAY-2015 08:46	APPROVED		
5	DOCUMENTS - INVESTIGATION		1	Attempt Telephone Contact	Y	BATEY, TERRY	18-MAY-2015 08:47	APPROVED		
6	DOCUMENTS - INVESTIGATION		3	Certified Letter	Y	BATEY, TERRY	18-MAY-2015 08:48	APPROVED		
7	DOCUMENTS - INVESTIGATION		1	USPS Tracking Confirmation	Y	BATEY, TERRY	18-MAY-2015 08:48	APPROVED		
	DOCUMENTS - INVESTIGATION		4	Closing Packet, including Summary Report Digest	Y	BATEY, TERRY	26-MAY-2015 06:15	APPROVED		
	DOCUMENTS - INTAKE INCIDENT		1		N	QUERFURTH, PATRICK	05-MAY-2015 03:32	APPROVED		

Review Incident

Review Type	Accused/Involved Member Name	Result Type	Reviewed By	Position	Unit	Review Date	Remarks
LIEUTENANT REVIEW		SUBMITTED	STEHLIK, JOSEPH	SERGEANT OF POLICE	121	27-MAY-2015 08:44	
SERGEANT REVIEW		SUBMITTED	STEHLIK, JOSEPH	SERGEANT OF POLICE	121	27-MAY-2015 08:43	

Review Accused

Review Type	Accused/Involved Member Name	Result Type	Reviewed By	Position	Unit	Review Date	Remarks

Accused Finding History

Accused	Allegation	Reviewed By	Reviewed Date/Time	CCR?	Concur?	Finding	Finding Comments
EBERLE, KEVIN	[REDACTED] an attorney alleges on 11 July 2014 at 203...	BATEY, TERRY	26-MAY-2015 06:15			NO AFFIDAVIT	
FORBERG, BRIAN	1. [REDACTED] R, an attorney alleges on 11 July 2014 at 203...	BATEY, TERRY	26-MAY-2015 06:15			NO AFFIDAVIT	
BARTIK, ROBERT	1. [REDACTED] an attorney alleges on 11 July 2014 at 203...	BATEY, TERRY	26-MAY-2015 06:15			NO AFFIDAVIT	
JONES, DEVINN	[REDACTED] an attorney alleges on 11 July 2014 at 203...	BATEY, TERRY	26-MAY-2015 06:15			NO AFFIDAVIT	
WALTER, SAJIT	[REDACTED] an attorney alleges on 11 July 2014 at 203...	BATEY, TERRY	26-MAY-2015 06:15			NO AFFIDAVIT	
CAVAZOS, JESSE	[REDACTED] an attorney alleges on 11 July 2014 at 203...	BATEY, TERRY	26-MAY-2015 06:15			NO AFFIDAVIT	

Accused Penalty History

Accused Penalty History

Accused	Reviewed By	Reviewed Date/Time	CCR?	Concur?	Penalty	Penalty Comments
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Findings

Accused Name	Allegations	Category	Concur?	Findings	Comments
EBERLE, KEVIN	[REDACTED] an attorney alleges on 11 July 2014 at 2035 hours at [REDACTED] that the accused Department member engaged in malicious prosecution and conspiracy against her client, [REDACTED]	006 GROUP 06 - BRIBERY/OFFICIAL CORRUPTION		NO AFFIDAVIT	
FORBERG, BRIAN	[REDACTED] an attorney alleges on 11 July 2014 at 2035 hours at [REDACTED] that the accused Department member engaged in malicious prosecution and conspiracy against her client, [REDACTED]	006 GROUP 06 - BRIBERY/OFFICIAL CORRUPTION		NO AFFIDAVIT	
CAVAZOS, JESSE	[REDACTED] an attorney alleges on 11 July 2014 at 2035 hours at [REDACTED] that the accused Department member engaged in malicious prosecution and conspiracy against her client, [REDACTED]	006 GROUP 06 - BRIBERY/OFFICIAL CORRUPTION		NO AFFIDAVIT	
JONES, DEVINN	[REDACTED] an attorney alleges on 11 July 2014 at 2035 hours at [REDACTED] that the accused Department member engaged in malicious prosecution and conspiracy against her client, [REDACTED]	006 GROUP 06 - BRIBERY/OFFICIAL CORRUPTION		NO AFFIDAVIT	
WALTER, SAJIT	[REDACTED], an attorney alleges on 11 July 2014 at 2035 hours at [REDACTED] that the accused Department member engaged in malicious prosecution and conspiracy against her client, [REDACTED]	006 GROUP 06 - BRIBERY/OFFICIAL CORRUPTION		NO AFFIDAVIT	
BARTIK, ROBERT	[REDACTED] an attorney alleges on 11 July 2014 at 2035 hours at [REDACTED] that the accused Department member engaged in malicious prosecution and conspiracy against her client, [REDACTED]	006 GROUP 06 - BRIBERY/OFFICIAL CORRUPTION		NO AFFIDAVIT	

FACE SHEET (Notification Date: 05-MAY-2015) - LOG #1075022

TYPE: INFO

Reporting Party Information

Role	Name	Star No.	Emp No.	UOA / UOD	Position	Sex	Race	Address	Phone
NON-CPD	Reporting Party Third Party	[REDACTED]						[REDACTED]	

Incident Information

Incident From Date/Time	Address of Incident	Beat	Dist. Of Occurrence	Location Code	Location Description
14-JUL-2012 08:35 - 14-JUL-2012 08:35	[REDACTED]	0612	006	304 - STREET	

Accused Members

	Role	Name	Star No.	Emp No.	UOA / UOD	Position	Status	Initial / Intake Allegation
CPD Employee	Accused	BARTIK, ROBERT	907	[REDACTED]	006 / 171	SERGEANT OF POLICE	ON Duty	Plaintiff alleges malicious prosecution an conspiracy.
CPD Employee	Accused	FORBERG, BRIAN	1564	[REDACTED]	005 / 212	SERGEANT OF POLICE	OFF Duty	Plaintiff alleges malicious prosecution an conspiracy.
CPD Employee	Accused	JONES, DEVINN	1179	[REDACTED]	620 /	SERGEANT OF POLICE	OFF Duty	Plaintiff alleges malicious prosecution an conspiracy.
CPD Employee	Accused	EBERLE, KEVIN	20817	[REDACTED]	620 /	PO AS DETECTIVE	ON Duty	Plaintiff alleges malicious prosecution an conspiracy.
CPD Employee	Accused	CAVAZOS, JESSE	14027	[REDACTED]	006 / 606	POLICE OFFICER	ON Duty	Plaintiff alleges malicious prosecution an conspiracy.
CPD Employee	Accused	WALTER, SAJIT	11288	[REDACTED]	003 / 114	POLICE OFFICER	OFF Duty	Plaintiff alleges malicious prosecution an conspiracy.

Incident Details

CR Required?		Manner Incident Received?	BELL
Confidential?		Biased Language?	N
Extraordinary Occurrence?	N	Bias Based Profiling?	N
Police Shooting (U)?	N		
Motor Vehicle (V)?		Alcohol Related?	N
Non Disciplinary Intervention:	N	Pursuit Related?	N
Initial Assignment:	IAD	Violence in Workplace?	N
Notify IAD Immediately?	N	Domestic Violence?	N
EEO Complaint No.:			
Civil Suit No.:	[REDACTED]	Notify Chief?	
Notify Chief Administator?	N	Notification Does Not Apply?	Y
Notify Coordinator?			
Notification Other?	N		

Initial Incident Category List

Initial Incident Category	Primary?
03D - GROUP 03 - IMPROPER SEARCH ILLEGAL ARREST / FALSE ARREST	Y
03D - GROUP 03 - IMPROPER SEARCH ILLEGAL ARREST / FALSE ARREST	

Assignment History

Assigned To	Assigned Team	Investigator	Assignment Date/Time	Assigned By	Reason
IAD	SOUTH INVESTIGATIONS SECTION	STEHLIK, JOSEPH (SUPERVISOR)	06-MAY-2015 10:54	O KELLY, PATRICK	
IAD	SOUTH INVESTIGATIONS SECTION	BATEY, TERRY (PRIMARY INV)	06-MAY-2015 10:54	O KELLY, PATRICK	
IAD	SOUTH INVESTIGATIONS SECTION	-	06-MAY-2015 08:03	WATSON, JOHN	
IAD	INTERNAL AFFAIRS DIVISION	-	05-MAY-2015 15:12	QUERFURTH, PATRICK	

Status History

Status History

Resulting Status	Status Date/Time	Created By	Position	UOA / UOD	Comments
CLOSED/NO CONVERSION	27-MAY-2015 08:44	STEHLIK, JOSEPH	SERGEANT OF POLICE	121 /	
PENDING LIEUTENANT REVIEW	27-MAY-2015 08:43	STEHLIK, JOSEPH	SERGEANT OF POLICE	121 /	
PENDING INVESTIGATIVE REVIEW	26-MAY-2015 06:15	BATEY, TERRY	POLICE OFFICER	121 /	
PENDING INVESTIGATION	06-MAY-2015 10:54	O KELLY, PATRICK	SERGEANT OF POLICE	121 /	
PENDING ASSIGN INVESTIGATOR	06-MAY-2015 09:48	DUNN, BRENDA	SERGEANT OF POLICE	121 /	
PENDING APPROVE TEAM	06-MAY-2015 08:03	WATSON, JOHN	POLICE OFFICER	121 /	
PENDING ASSIGN TEAM	05-MAY-2015 03:32	QUERFURTH, PATRICK	SUPERVISING INV COPA	113 /	
PENDING SUPERVISOR REVIEW	05-MAY-2015 03:20	QUERFURTH, PATRICK	SUPERVISING INV COPA	113 /	
PRELIMINARY	05-MAY-2015 03:20	QUERFURTH, PATRICK	SUPERVISING INV COPA	113 /	check
PENDING SUPERVISOR REVIEW	05-MAY-2015 03:13	QUERFURTH, PATRICK	SUPERVISING INV COPA	113 /	
PRELIMINARY	05-MAY-2015 03:12	QUERFURTH, PATRICK	SUPERVISING INV COPA	113 /	

SWORN AFFIDAVIT FOR COMPLAINT LOG INVESTIGATION
CHICAGO POLICE DEPARTMENT

STATE OF ILLINOIS)
)
COUNTY OF COOK) CC
)

Location of Incident	Date	Time
Summary of Statement(s):		

I, _____, hereby state as follows:

1. I have read the above summary and/or attached statement(s) in its entirety, reviewed it for accuracy and been given an opportunity to make corrections and additions to the statement(s).
2. Under penalties as provided by law pursuant to 735 ILCS 5/1-109, I certify that the information set forth in the statement(s) above and/or attached summary are true and correct, except as to any matters therein stated to be on information and belief as to such matters, I certify as aforesaid that I verily believe the same to be true.

Print Affiant's Name

Affiant's Signature

Date

Print Witness's Name

Witness's Signature

Date

05 MAY 2015

CIVIL SUIT NUMBER

15 L 003590

NAME OF DEFENDANT(S) OR OFFICERS

P.O. KEVIN EBERLE #20817	EMP# [REDACTED]	UNIT 620	DOA 22 NOV 1993
P.O. BRIAN FORBERG #1373	EMP# [REDACTED]	UNIT 212	DOA 10 JUL 1995
P.O. ROBERT BARTIK #907	EMP# [REDACTED]	UNIT 171	DOA 07 NOV 1988
P.O. DEVINN JONES #20668	EMP# [REDACTED]	UNIT 620	DOA 04 OCT 1999
P.O. WALTER SAJIT #11288	EMP# [REDACTED]	UNIT 114	DOA 01 MAY 2006
P.O. JESSE CAVAZOS #14027	EMP# [REDACTED]	UNIT 606	DOA 23 JAN 2006

LOCATION OF INCIDENT [REDACTED]

DATE & TIME OF INCIDENT 14 JUL 2012 2035 HOURS

NAME OF PLAINTIFF'S ATTORNEY [REDACTED]

TELEPHONE [REDACTED]

PLAINTIFF [REDACTED]

ALLEGATION(S): PLAINTIFF ALLEGES MALICIOUS PROSECUTION AND CONSPIRACY.

COMPLAINT REGISTER NUMBER 1075 022

UNIT ASSIGNED TO INVESTIGATION BUREAU OF INTERNAL AFFAIRS

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

Plaintiff,

No. [REDACTED]

v.

Calendar / Room Z

CHICAGO POLICE OFFICERS KEVIN EBERLE, Star #20817, BRIAN FORBERG, Star #21249, ROBERT BARTIK, Star #3078, D. JONES, Star #20668, S. WALTER, Star #11288, J. CAVAZOS Star #14027, UNKNOWN CITY OF CHICAGO POLICE OFFICERS, and the CITY OF CHICAGO,

 SUMMONS ALIAS SUMMONS

To each Defendant: Officer Robert Bartik, #3078
C/O Chicago Police Department /
Office of Legal Affairs
3510 S. Michigan Avenue
Chicago, Illinois 60619

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance, and pay the required fee, in the Office of the Clerk of this Court at the following location:

<input checked="" type="radio"/> Richard J. Daley Center, 50 W. Washington, Room #801	Chicago, Illinois 60602	
<input type="radio"/> District 2 - Skokie 5600 Old Orchard Rd. Skokie, IL 60077	<input type="radio"/> District 3 - Rolling Meadows 2121 Euclid Rolling Meadows, IL 60008	<input type="radio"/> District 4 - Maywood 1500 Maybrook Ave. Maywood, IL 60153
<input type="radio"/> District 5 - Bridgeview 10220 S. 76th Ave. Bridgeview, IL 60455	<input type="radio"/> District 6 - Markham 16501 S. Kedzie Pkwy. Markham, IL 60428	<input type="radio"/> Child Support 28 North Clark St., Room 200 Chicago, Illinois 60602

You must file within 30 days after service of this Summons, not counting the day of service.

IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE RELIEF REQUESTED IN THE COMPLAINT.

To the officer:

This Summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this Summons shall be returned so endorsed. This Summons may not be served later than 30 days after its date.

APR 10 2015

Atty. No.: [REDACTED]

WITNESS, _____

Name: _____

Atty. for: Plaintiff

Address: _____

Clerk of Court

City/State/Zip: _____

Telephone: _____

Date of service: _____
(To be inserted by officer on copy left with defendant or other person)

Service by Facsimile Transmission will be accepted at: _____

(Area Code) (Facsimile Telephone Number)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

Plaintiff,

v.

No. [REDACTED]

Calendar / Room Z

CHICAGO POLICE OFFICERS KEVIN EBERLE, Star #20817, BRIAN FORBERG, Star #21249, ROBERT BARTIK, Star #3078, D. JONES, Star #20668, S. WALTER, Star #11288, J. CAVAZOS Star #14027, UNKNOWN CITY OF CHICAGO POLICE OFFICERS, and the CITY OF CHICAGO,

 SUMMONS ALIAS SUMMONS

To each Defendant: Officer J. Cavazos, #14027
C/O Chicago Police Department /
Office of Legal Affairs
3510 S. Michigan Avenue
Chicago, Illinois 60619

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance, and pay the required fee, in the Office of the Clerk of this Court at the following location:

<input checked="" type="radio"/> Richard J. Daley Center, 50 W. Washington, Room <u>#801</u> , Chicago, Illinois 60602	<input type="radio"/> District 3 - Rolling Meadows 2121 Euclid Rolling Meadows, IL 60008	<input type="radio"/> District 4 - Maywood 1500 Maybrook Ave. Maywood, IL 60153
<input type="radio"/> District 2 - Skokie 5600 Old Orchard Rd. Skokie, IL 60077	<input type="radio"/> District 6 - Markham 16501 S. Kedzie Pkwy. Markham, IL 60428	<input type="radio"/> Child Support 28 North Clark St., Room 200 Chicago, Illinois 60602
<input type="radio"/> District 5 - Bridgeview 10220 S. 76th Ave. Bridgeview, IL 60455		

You must file within 30 days after service of this Summons, not counting the day of service.

IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE RELIEF REQUESTED IN THE COMPLAINT.

To the officer:

This Summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this Summons shall be returned so endorsed. This Summons may not be served later than 30 days after its date.

Atty. No.: [REDACTED]

WITNESS, APR 15 2015

Name: [REDACTED]

Atty. for: Plaintiff

Address: [REDACTED]

Clerk of Court

City/State/Zip: [REDACTED]

Date of service: _____

Telephone: [REDACTED]

(To be inserted by officer on copy left with defendant or other person)

Service by Facsimile Transmission will be accepted at: _____

(Area Code) (Facsimile Telephone Number)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

Plaintiff,

v.

No. [REDACTED]

Calendar / Room Z

CHICAGO POLICE OFFICERS KEVIN EBERLE, Star #20817, BRIAN FORBERG, Star #21249, ROBERT BARTIK, Star #3078, D. JONES, Star #20668, S. WALTER, Star #11288, J. CAVAZOS Star #14027, UNKNOWN CITY OF CHICAGO POLICE OFFICERS, and the CITY OF CHICAGO,

 SUMMONS ALIAS SUMMONS

To each Defendant: Officer Keven Eberle, #20817
C/O Chicago Police Department /
Office of Legal Affairs
3510 S. Michigan Avenue
Chicago, Illinois 60619

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance, and pay the required fee, in the Office of the Clerk of this Court at the following location:

<input checked="" type="radio"/> Richard J. Daley Center, 50 W. Washington, Room <u>#801</u>	Chicago, Illinois 60602	
<input type="radio"/> District 2 - Skokie 5600 Old Orchard Rd. Skokie, IL 60077	<input type="radio"/> District 3 - Rolling Meadows 2121 Euclid Rolling Meadows, IL 60008	<input type="radio"/> District 4 - Maywood 1500 Maybrook Ave. Maywood, IL 60153
<input type="radio"/> District 5 - Bridgeview 10220 S. 76th Ave. Bridgeview, IL 60455	<input type="radio"/> District 6 - Markham 16501 S. Kedzie Pkwy. Markham, IL 60428	<input type="radio"/> Child Support 28 North Clark St., Room 200 Chicago, Illinois 60602

You must file within 30 days after service of this Summons, not counting the day of service.
IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE RELIEF REQUESTED IN THE COMPLAINT.

To the officer:

This Summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this Summons shall be returned so endorsed. This Summons may not be served later than 30 days after its date.

Atty. No.: [REDACTED]

WITNESS, _____, _____

Name: [REDACTED]

Atty. for: Plaintiff

Address: [REDACTED]

City/State/Zip: [REDACTED]

Telephone: [REDACTED]

APR 13 2011
Clerk of Court
2121 Euclid Avenue
Date of service: _____
(To be inserted by officer on copy left with defendant or other person)

Service by Facsimile Transmission will be accepted at: _____
(Area Code) (Facsimile Telephone Number)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW... DIVISION

Plaintiff,

v.

No.

Calendar / Room Z

CHICAGO POLICE OFFICERS KEVIN EBERLE, Star #20817, BRIAN FORBERG, Star #21249, ROBERT BARTIK, Star #3078, D. JONES, Star #20668, S. WALTER, Star #11288, J. CAVAZOS Star #14027, UNKNOWN CITY OF CHICAGO POLICE OFFICERS, and the CITY OF CHICAGO,

 SUMMONS ALIAS SUMMONS

To each Defendant: Officer Brian Forberg, #21249
C/O Chicago Police Department /
Office of Legal Affairs
3510 S. Michigan Avenue
Chicago, Illinois 60619

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance, and pay the required fee, in the Office of the Clerk of this Court at the following location:

<input checked="" type="radio"/> Richard J. Daley Center, 50 W. Washington, Room <u>#801</u> , Chicago, Illinois 60602	<input type="radio"/> District 3 - Rolling Meadows 2121 Euclid Rolling Meadows, IL 60008	<input type="radio"/> District 4 - Maywood 1500 Maybrook Ave. Maywood, IL 60153
<input type="radio"/> District 2 - Skokie 5600 Old Orchard Rd. Skokie, IL 60077	<input type="radio"/> District 6 - Markham 16501 S. Kedzie Pkwy. Markham, IL 60428	<input type="radio"/> Child Support 28 North Clark St., Room 200 Chicago, Illinois 60602
<input type="radio"/> District 5 - Bridgeview 10220 S. 76th Ave. Bridgeview, IL 60455		

You must file within 30 days after service of this Summons, not counting the day of service.

IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE RELIEF REQUESTED IN THE COMPLAINT.

To the officer:

This Summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this Summons shall be returned so endorsed. This Summons may not be served later than 30 days after its date.

APR 15 2015

Atty. No.:

WITNESS, _____

Name: _____

Atty. for: Plaintiff

Address: _____

Clerk of Court

City/State/Zip: _____

Date of service: _____

Telephone: _____

(To be inserted by officer on copy left with defendant or other person)

Service by Facsimile Transmission will be accepted at: _____

(Area Code) (Facsimile Telephone Number)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

SUMMONS

ALIAS - SUMMONS

(2/28/11) CCG N001

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

[REDACTED]
Plaintiff,

v.

No. [REDACTED]

Calendar / Room Z

CHICAGO POLICE OFFICERS KEVIN
EBERLE, Star #20817, BRIAN FORBERG,
Star #21249, ROBERT BARTIK, Star #3078,
D. JONES, Star #20668, S. WALTER, Star
#11288, J. CAVAZOS Star #14027, UNKNOWN
CITY OF CHICAGO POLICE OFFICERS, and
the CITY OF CHICAGO,

SUMMONS ALIAS SUMMONS

To each Defendant: Officer D. Jones, #20668
C/O Chicago Police Department /
Office of Legal Affairs
3510 S. Michigan Avenue
Chicago, Illinois 60619

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance, and pay the required fee, in the Office of the Clerk of this Court at the following location:

<input checked="" type="radio"/> Richard J. Daley Center, 50 W. Washington, Room	<u>#801</u>	, Chicago, Illinois 60602
<input type="radio"/> District 2 - Skokie	<input type="radio"/> District 3 - Rolling Meadows	<input type="radio"/> District 4 - Maywood
5600 Old Orchard Rd.	2121 Euclid	1500 Maybrook Ave.
Skokie, IL 60077	Rolling Meadows, IL 60008	Maywood, IL 60153
<input type="radio"/> District 5 - Bridgeview	<input type="radio"/> District 6 - Markham	<input type="radio"/> Child Support
10220 S. 76th Ave.	16501 S. Kedzie Pkwy.	28 North Clark St., Room 200
Bridgeview, IL 60455	Markham, IL 60428	Chicago, Illinois 60602

You must file within 30 days after service of this Summons, not counting the day of service.
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APR 15 2015

Atty. No.: [REDACTED]

WITNESS, _____

Name: [REDACTED]

Atty. for: Plaintiff

Address: [REDACTED]

City/State/Zip: [REDACTED]

Telephone: [REDACTED]

Clerk of Court

Date of service: _____
(To be inserted by officer on copy left with defendant
or other person)

Service by Facsimile Transmission will be accepted at: _____
(Area Code) (Facsimile Telephone Number)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

CPD 0284993

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

Plaintiff,

v.

No. [REDACTED]

Calendar / Room Z

CHICAGO POLICE OFFICERS KEVIN EBERLE, Star #20817, BRIAN FORBERG, Star #21249, ROBERT BARTIK, Star #3078, D. JONES, Star #20668, S. WALTER, Star #11288, J. CAVAZOS Star #14027, UNKNOWN CITY OF CHICAGO POLICE OFFICERS, and the CITY OF CHICAGO,

 SUMMONS ALIAS SUMMONS

To each Defendant: Officer S. Walter, #11288
C/O Chicago Police Department /
Office of Legal Affairs
3510 S. Michigan Avenue
Chicago, Illinois 60619

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance, and pay the required fee, in the Office of the Clerk of this Court at the following location:

Richard J. Daley Center, 50 W. Washington, Room #801, Chicago, Illinois 60602

District 2 - Skokie District 3 - Rolling Meadows District 4 - Maywood
5600 Old Orchard Rd. 2121 Euclid 1500 Maybrook Ave.
Skokie, IL 60077 Rolling Meadows, IL 60008 Maywood, IL 60153

District 5 - Bridgeview District 6 - Markham Child Support
10220 S. 76th Ave. 16501 S. Kedzie Pkwy. 28 North Clark St., Room 200
Bridgeview, IL 60455 Markham, IL 60428 Chicago, Illinois 60602

You must file within 30 days after service of this Summons, not counting the day of service.

IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE RELIEF REQUESTED IN THE COMPLAINT.

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APR 15 2015

Atty. No.: [REDACTED]

WITNESS, _____

Name: [REDACTED]

Atty. for: Plaintiff

Clerk of Court

Address: [REDACTED]

Date of service: _____
(To be inserted by officer on copy left with defendant or other person)

City/State/Zip: [REDACTED]

Telephone: [REDACTED]

Service by Facsimile Transmission will be accepted at: _____

(Area Code) (Facsimile Telephone Number)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

FILED - 3

2015 APR - 7 PM 12:37

CIRCUIT COURT OF COOK
COUNTY, ILLINOIS
LAW DIVISION

Case No. _____

Jury trial demanded.

[REDACTED] Plaintiff,
v.
CHICAGO POLICE OFFICERS KEVIN EBERLE, Star #20817, BRIAN FORBERG, Star #21249, ROBERT BARTIK, Star #3078, D. JONES, Star #20668, S. WALTER, Star #11288, J. CAVAZOS Star #14027, UNKNOWN CITY OF CHICAGO POLICE OFFICERS, and the CITY OF CHICAGO, Defendants.

1015L00355PC
CALENDAR/BOOK II
TIME 00:00

COMPLAINT AT LAW

Now Comes Plaintiff, [REDACTED] by and through his attorneys, [REDACTED]

[REDACTED] and complaining of Defendants, Chicago Police Officers Kevin Eberle, Star #20817, Brian Forberg, Star #21249, Robert Bartik, Star #3078, D. Jones, Star#20668S. Walter, Star #11288, J. Cavazos, Star #14027, Unknown City of Chicago Police Officers, and the City of Chicago, states as follows:

PARTIES

1. Plaintiff [REDACTED] is a resident of the County of Cook and the State of Illinois.
2. Defendant Kevin Eberle ("Defendant Eberle") was, at all times relevant to this action, employed as a Detective in the Chicago Police Department. At all times relevant to this action Defendant Eberle was acting in the course and scope of his employment.

3. Defendant Brian Forberg ("Defendant Forberg") was, at all times relevant to this action, employed as a Detective in the Chicago Police Department. At all times relevant to this action Defendant Forberg was acting in the course and scope of his employment.

4. Defendant Robert Bartik ("Defendant Bartik") was, at all times relevant to this action, employed as a police officer with the Chicago Police Department. At all times relevant to this action Defendant Bartik was acting in the course and scope of his employment.

5. Defendant Robert Bartik ("Defendant Bartik") was, at all times relevant to this action, employed as a police officer with the Chicago Police Department. At all times relevant to this action Defendant Bartik was acting in the course and scope of his employment.

6. Defendant D. Jones ("Defendant Jones") was, at all times relevant to this action, employed as a police officer with the Chicago Police Department. At all times relevant to this action Defendant Jones was acting in the course and scope of his employment.

7. Defendant S. Walter ("Defendant Walter") was, at all times relevant to this action, employed as a police officer with the Chicago Police Department. At all times relevant to this action Defendant Walter was acting in the course and scope of his employment.

8. Defendant J. Cavazos ("Defendant Cavazos") was, at all times relevant to this action, employed as a police officer with the Chicago Police Department. At

all times relevant to this action Defendant Cavazos was acting in the course and scope of his employment.

9. Defendant Unknown City of Chicago Police Officers were, at all times relevant to this action, employed as police officers with the Chicago Police Department. At all times relevant to this action Defendant Unknown City of Chicago Police Officers were acting in the course and scope of their employment.

10. Defendant City of Chicago is an Illinois municipal corporation, and is/or was the employer and principal of the Defendant Officers at all times relevant to this action. Defendant City of Chicago is liable for the acts and omissions of the Defendant Officers while employed by the City of Chicago and while acting within the course and scope of their employment.

11. All individuals are sued in their individual capacities. At all times relevant to this action, each of the Defendant Officers acted in his or her individual capacity under the color of the laws, regulations, and customs of the State of Illinois.

JURISDICTION AND VENUE

12. This Court has jurisdiction over this controversy because it is among citizens of the State of Illinois. Venue is proper in Cook County pursuant to 735 ILCS 5/2-101 because all events giving rise to the causes of action asserted herein occurred in Cook County.

FACTUAL ALLEGATIONS

13. On July 14, 2012, at approximately 8:35 p.m., two individuals opened fire near [REDACTED] outside a neighborhood grocery store.

14. [REDACTED] was shot and killed. [REDACTED] was shot in the leg but survived.

15. Police officers arrived at the scene shortly after the shooting and observed the victims lying on the ground. [REDACTED] told police which way the shooters ran. A flash message was sent to Chicago Police on patrol in the area.

16. Defendant Jones interviewed [REDACTED] at the scene.

17. [REDACTED] told Jones he was sitting across the street from the store when the shooting took place. He described one of the shooters as a tall slender black male.

18. Defendant Jones also interviewed [REDACTED] at the scene.

19. At the time Defendant Jones interviewed [REDACTED] it was readily apparent that [REDACTED] was high on cannabis and intoxicated.

20. [REDACTED] claimed he saw the shooters, despite the fact that he was inside the store at the time the shooting took place.

21. [REDACTED] told Defendant Jones he knew one of the shooters by the name "Juicy."

22. Defendant Jones did not document in his report that [REDACTED] was intoxicated at the time he interviewed him.

23. Defendant Jones also interviewed [REDACTED] at the scene.

24. Like [REDACTED], [REDACTED] told Jones that he witnessed the shooting from inside the store.

25. Plaintiff and members of his family were in the neighborhood walking outside at the time the shooting took place.

26. Plaintiff was approximately one block away and witnessed the shooting when it occurred.

27. Plaintiff was one of many individuals in the area when the victims were shot.

28. A short time later, Defendants Walter and Cavazos saw Plaintiff walking at approximately [REDACTED] and placed him under arrest.

29. Plaintiff is neither tall nor slender, as [REDACTED] had described one of the shooters.

30. At the time Defendants Walter and Cavazos arrested Plaintiff they had no reasonable suspicion to believe that he had been involved in the shooting.

31. At the time Defendants Walter and Cavazos arrested Plaintiff they had no probable cause to believe the he had committed or was about to commit any criminal offense.

32. In order to justify their detention of Plaintiff, Defendants Walter and Cavazos fabricated a report stating that Plaintiff ran when he saw them. That allegation is false. Plaintiff did not run when he saw the police.

33. Defendants Walter and Cavazos did not question any of the individuals with Plaintiff before they arrested him. If they had, they would have learned that Plaintiff was not involved in the shooting.

34. After arresting Plaintiff, Defendants Walter and Cavazos took him back to the scene and presented him to [REDACTED] in an unduly suggestive "show-up."

35. [REDACTED] was not able to definitively identify Plaintiff as the shooter at the show-up.

36. Williamson did not identify Plaintiff as one of the shooters at the show-up.

37. Despite the lack of any reliable evidence that Plaintiff had been involved in the shooting, Defendants Eberle and Forberg ordered that Plaintiff be transported to the police station.

38. Defendants Eberle and Forberg learned at the scene that there was video surveillance of the shooting.

39. Defendants Eberle and Forberg watched the video surveillance either the same day as the shooting or early in the next morning.

40. The video surveillance clearly shows the two individuals involved in the shooting.

41. The video surveillance of the shooting definitively establishes that Plaintiff was not one of the two shooters.

42. Neither of the individuals in the surveillance video matched the physical build of Plaintiff as of the date of his arrest.

43. Neither of the individuals in the surveillance video has the same hairstyle as Plaintiff as of the date of his arrest.

44. Neither of the individuals in the surveillance video is wearing the same shoes as was Plaintiff when he was arrested.

45. The surveillance video vitiated any arguable probable cause to believe that Plaintiff was involved in the shooting up until that point.

46. Despite the fact that Plaintiff was fully exonerated of any involvement in the shooting, Defendants Eberle and Forberg continued to detain him.

47. Despite the fact that Plaintiff was fully exonerated of any involvement in the shooting, Defendants Eberle and Forberg presented him in unduly suggestive lineups to [REDACTED] and [REDACTED] a third witness who fled the scene before speaking with police.

48. The lineups shown to these witnesses consisted of three individuals other than Plaintiff. None of these other individuals approximated the description of either shooter.

49. Defendants Eberle and Forberg led [REDACTED] to believe that the shooter was in custody and/or in the lineup.

50. Plaintiff was purportedly identified by [REDACTED] and/or [REDACTED] as one of the perpetrators.

51. To the extent the witnesses identified Plaintiff as one of the perpetrators, said identifications were the result of the unduly suggestive lineup procedures utilized by Defendants Eberle and Forberg.

52. Knowing that the video fully exonerated Plaintiff and that the witness identifications of him were not reliable, Defendants Eberle and Forberg attempted to obtain incriminating statements from Plaintiff.

53. Plaintiff denied any involvement whatsoever in the shooting.

54. Plaintiff indicated he was willing to take a polygraph examination.

55. Defendants Eberle and Forberg contacted Defendant Bartik to conduct the polygraph examination.

56. Defendant Bartik has a reputation of obtaining "confessions" from suspects prior to conducting his polygraph examinations. Many of these "confessions" have proven to be false.

57. Plaintiff continued to deny any involvement in the shooting during the polygraph.

58. Defendant Bartik falsely reported that Plaintiff showed deception on the polygraph examination, and/or employed unreliable polygraph techniques to secure a deceptive result.

59. Defendants Eberle and Forberg used the trumped-up polygraph results as a justification to continue their interrogation of Plaintiff.

60. Plaintiff continued to deny any involvement in the shooting.

61. Plaintiff told Defendants Eberle and Forberg that one of the shooters was someone he knew to be [REDACTED]

62. On information and belief, Defendants Eberle and Forberg never investigated Beal as a possible perpetrator.

63. On information and belief, Defendants Eberle and Forberg never obtained a photograph of Beal, though they easily could have.

64. On information and belief, Defendants Eberle and Forberg never attempted to locate and/or question [REDACTED] though they easily could have.

65. A comparison of a booking photograph of Beal to the surveillance video from the shooting shows that he is likely one of the perpetrators.

66. Rather than pursue the information provided by Plaintiff as to one of the likely culprits, Defendants continued to interrogate him.

67. Plaintiff continued to deny involvement in the shooting.

68. Defendants ordered that Plaintiff's hands be swabbed for gunshot residue testing.

69. The result of the gunshot residue test of Plaintiff's hands was negative.

70. No forensic evidence tied Plaintiff to the shooting.

71. Through the fabrication of reports, the failure to follow up on reasonable avenues of investigation, and unduly suggestive identification procedures, Defendants misled an assistant state's attorney to approve murder charges against Plaintiff.

72. Plaintiff was unable to post bond, and he remained incarcerated in the Cook County Jail.

73. After Plaintiff was charged, his public defender and an investigator went to speak with [REDACTED] and [REDACTED]

74. [REDACTED] and [REDACTED] told Plaintiff's public defender and the investigator that they could not identify Plaintiff as the shooter.

75. As a result of the information gathered by Plaintiff's public defender, the prosecutor dropped the charges against him on April 11, 2014.

76. As a result of the Defendant Officers unlawful conduct, Plaintiff spent approximately 21 months incarcerated for a crime he did not commit.

77. On information and belief, despite the fact that the charges have been dropped and Plaintiff was released from jail, Defendants Eberle and Forberg still have not investigated [REDACTED] as one of the possible perpetrators of the shooting.

Count I

(Malicious Prosecution)

78. Each of the foregoing paragraphs is incorporated as if restated fully herein.

79. The Defendant Officers initiated and/or continued a malicious prosecution against Plaintiff without probable cause as set forth above.

80. The Defendant Officers were each instrumental in the initiation and perpetuation of the prosecution of Plaintiff.

81. The Defendant Officers each acted with malice.

82. The prosecution terminated in Plaintiff's favor on April 11, 2014 in a manner indicative of innocence.

83. The Defendant Officers' actions directly and proximately caused the injuries and damages to Plaintiff as claimed above, and constitute the tort of malicious prosecution under Illinois law.

WHEREFORE, Plaintiff demands compensatory damages in an amount in excess of Fifty Thousand Dollars (\$50,000.00), jointly and severally from Defendant Officers, plus costs, fees, and whatever additional relief this Court deems just and equitable.

Count II

(Conspiracy)

84. Each of the foregoing paragraphs is incorporated as if restated fully herein.

85. The Defendant Officers together reached an understanding, engaged in a course of conduct, and otherwise acted in conspiracy to maliciously prosecute Plaintiff.

86. In furtherance of this conspiracy, the Defendant Officers committed the overt acts set forth above, including, but not limited to, the fabrication of reports, the use of unduly suggestive identification procedures, and the deliberate concealment of their unlawful tactics from the prosecution.

87. The conspiracy continued from at least the date of Plaintiff's arrest until Plaintiff was released from custody on April 11, 2014.

88. The Defendant Officers' actions directly and proximately caused the injuries and damages to Plaintiff as claimed above, and constitute the tort of conspiracy under Illinois law.

WHEREFORE, Plaintiff demands compensatory damages in an amount in excess of Fifty Thousand Dollars (\$50,000.00), jointly and severally from Defendant Officers, plus costs, fees, and whatever additional relief this Court deems just and equitable.

Count III

(Indemnification)

89. Each of the foregoing paragraphs is incorporated as if restated fully herein.

90. Pursuant to 745 ILCS 10/9-102, Defendant City of Chicago is empowered and directed to pay any judgment for compensatory damages, and any associated attorneys' fees and costs, for with the Defendant Officers and Defendant Unknown Officers, acting within the course and scope of his or her employment, are found liable.

91. In a manner more fully described above, the misconduct of the Defendant Officers was committed within the course and scope of his or her employment.

92. In the event that a judgment for compensatory damages is entered against any of the individual Defendants, Defendant City of Chicago must pay the judgment as well as any associated fees and costs.

WHEREFORE, Plaintiff demands compensatory damages in an amount in excess of Fifty Thousand Dollars (\$50,000.00) from Defendant City of Chicago, plus costs, fees, and whatever additional relief this Court deems just and equitable.

Count IV

(Respondeat Superior)

93. Each of the foregoing paragraphs is incorporated as if restated fully herein.

94. The Defendant Officers and Defendant Unknown Officers were at all times relevant to this action employees and agents of Defendant City of Chicago.

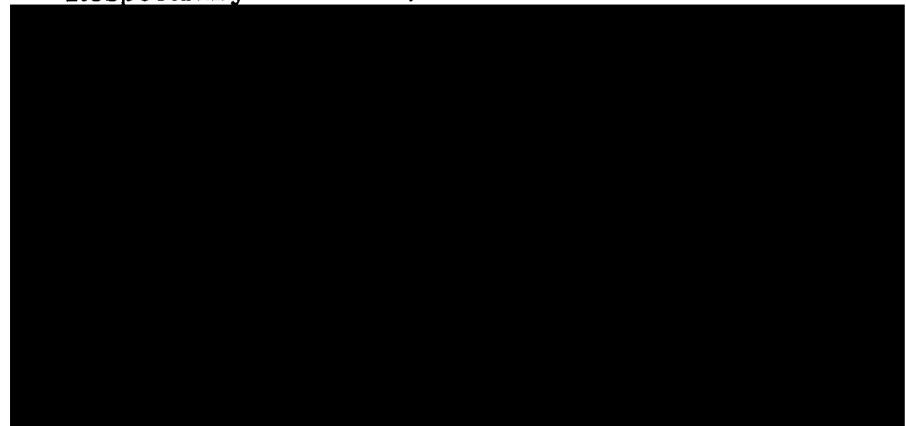
95. Each of the individual Defendants was acting within the course and scope of their employment when they engaged in the actions described in this Complaint.

96. Therefore, all of the individual Defendants' acts and omissions are directly chargeable to Defendant City of Chicago pursuant to the doctrine of respondeat superior.

WHEREFORE, Plaintiff demands compensatory damages in an amount in excess of Fifty Thousand Dollars (\$50,000.00), from Defendant City of Chicago, plus costs, fees, and whatever additional relief this Court deems just and equitable.

Plaintiff demands trial by jury.

Respectfully submitted,



IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

[REDACTED] Plaintiff,

v.

CHICAGO POLICE OFFICERS KEVIN)
EBERLE, Star #20817, BRIAN FORBERG,)
Star #21249, ROBERT BARTIK, Star #3078,)
D. JONES, Star #20668, S. WALTER, Star)
#11288, J. CAVAZOS Star #14027, UNKNOWN)
CITY OF CHICAGO POLICE OFFICERS, and)
the CITY OF CHICAGO,

Defendants.)

) Case No. _____

Jury trial demanded.

Affidavit

I, [REDACTED], being first duly sworn on oath, deposes and states as follows:

1. I am an attorney licensed to practice law in the State of Illinois.
2. I am the attorney of record for the Plaintiff.
3. That based upon the information available to me at the present time, the total amount of money damages sought in this matter exceeds \$50,000.00.
4. This affidavit is submitted in compliance with Supreme Court Rule 222(b).

Further Affiant sayeth not.

[REDACTED]

Subscribed and sworn to before me this
7th day of April, 2015.


Notary Public



BUREAU OF INTERNAL AFFAIRS
Investigations Division
General Investigations Section

06 May 2015
Log No.: 1075022

To: Juan J. Rivera
Chief
Bureau of Internal Affairs

From: P.O. T. Batey #11794
Investigations Division
General Investigations Section

Subject: Attempt Telephone Contact

Allegation: The Reporting Third Party, Atty [REDACTED] alleges that the accused maliciously prosecuted and conspired against her client, [REDACTED]

Upon receiving Complaint Log Number 1075022 for investigation on 06 May 2015, the undersigned telephoned the Reporting Third Party at the number [REDACTED] listed on the face sheet on 06 May 2015 at 1634 hours. R/I spoke with [REDACTED] and he indicated the Reporting Third Party was unavailable. R/I left a message with [REDACTED] for the Reporting Third Party to return R/I's telephone call.

In addition on 06 May 2015, R/I mailed a certified letter to Reporting Third Party at the address listed on the face sheet with tracking number: [REDACTED]

Terry Batey
Police Officer
Bureau of Internal Affairs – General Investigations Section

Electronic only



Department of Police * City of Chicago
3510 South Michigan Avenue * Chicago, Illinois 60653

Date 06 MAY 2015

Re: C. L. No. 1075022

Dear ATTY. [REDACTED]

A complaint against a Department member, registered under the above Complaint Log (C.L.) Number, is currently under investigation by the Chicago Police Department.

A vital step in the investigation is an interview with the person who registered the complaint as well as witnesses. This step is essential in order to conduct a complete and thorough investigation.

Please contact me as soon as possible so that I can make arrangements to meet with you regarding the incident under investigation. The following information is provided so that you can contact me without unnecessary inconvenience:

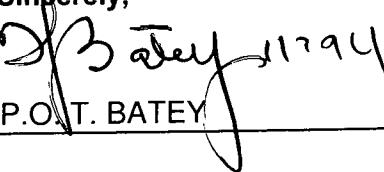
Name: P.O. TERRY BATEY

Address: 3510 S. MICHIGAN AVE., 5TH FL.

Telephone: 312-745-6310 EXT. 85082

Hours Available: 4:30 P.M. - 11:00 P.M.

Sincerely,


P.O. T. BATEY

CPD-44.223 (REV. 4/12)

Emergency and TTY: 9-1-1 * Non-Emergency and TTY: (Within City limits) 3-1-1 * Non-Emergency and TTY: (Outside City limits) 312-746-6000

* E-mail: clearpath@chicagopolice.org * Website: www.chicagopolice.org

CPD 0285011

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

[REDACTED]

2. Article Number
(Transfer from service label)

PS Form 3811, July 2013

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

COMPLETE THIS SECTION ON DELIVERY

A. Signature	<input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee
B. Received by (Printed Name)	C. Date of Delivery

3. Service Type

Certified Mail® Priority Mail Express™
 Registered Return Receipt for Merchandise
 Insured Mail Collect on Delivery

4. Restricted Delivery? (Extra Fee)

 Yes

3. Service Type

Certified Mail® Priority Mail Express™
 Registered Return Receipt for Merchandise
 Insured Mail Collect on Delivery

4. Restricted Delivery? (Extra Fee)

 Yes2. Article Number
(Transfer from service label)

PS Form 3811, July 2013

Domestic Return Receipt

**U.S. Postal Service™
CERTIFIED MAIL® RECEIPT**

Domestic Mail Only

For delivery information, visit our website at www.usps.com.

T. BREY CIVIL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

Sent To

Street & Apt. No.
or PO Box No.
City, State, ZIP

PS Form 3800

**City of Chicago
Department of Police
3510 South Michigan Avenue
Chicago, Illinois 60653**



**U.S. Postal Service™
CERTIFIED MAIL® RECEIPT**

Domestic Mail Only

For delivery information, visit our website at www.usps.com.

T. BATE CHICAGO POLICE DEPARTMENT

Postage	\$
Certified Fee	MAY 07 2015
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

Sent To

Street & Apt. No.
or PO Box No.
City, State, ZIP

PS Form 3800

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USPS Tracking™



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Tracking Number
[REDACTED]

Delivered

Updated Delivery Day: Saturday, May 9, 2015

Product & Tracking Information

Postal Product:

Features:

Certified Mail™

DATE & TIME	STATUS OF ITEM	LOCATION
May 12, 2015 , 2:30 pm	Delivered	DOWNERS GROVE, IL 60515

Your item was delivered at 2:30 pm on May 12, 2015 in DOWNERS GROVE, IL 60515.

May 9, 2015 , 9:55 am	Business Closed	DOWNERS GROVE, IL 60515
May 9, 2015 , 8:25 am	Sorting Complete	DOWNERS GROVE, IL 60515
May 9, 2015 , 8:12 am	Arrived at Unit	DOWNERS GROVE, IL 60515
May 9, 2015 , 2:52 am	Departed USPS Facility	FOX VALLEY, IL 60599
May 8, 2015 , 7:54 pm	Arrived at USPS Facility	FOX VALLEY, IL 60599
May 8, 2015 , 4:43 am	Departed USPS Facility	BEDFORD PARK, IL 60499
May 7, 2015 , 5:07 pm	Arrived at USPS Facility	BEDFORD PARK, IL 60499

Track Another Package

Tracking (or receipt) number

Track It

Manage Incoming Packages

Track all your packages from a dashboard.
No tracking numbers necessary.

[Sign up for My USPS.com >](#)**USPS.COM**

CPD 0285014

05 MAY 2015

CIVIL SUIT NUMBER

15 L 003590

NAME OF DEFENDANT(S) OR OFFICERS

P.O. KEVIN EBERLE #20817	EMP [REDACTED]	UNIT 620	DOA 22 NOV 1993
P.O. BRIAN FORBERG #1373	EMP [REDACTED]	UNIT 212	DOA 10 JUL 1995
P.O. ROBERT BARTIK #907	EMP [REDACTED]	UNIT 171	DOA 07 NOV 1988
P.O. DEVINN JONES #20668	EMP [REDACTED]	UNIT 620	DOA 04 OCT 1999
P.O. WALTER SAJIT #11288	EMP [REDACTED]	UNIT 114	DOA 01 MAY 2006
P.O. JESSE CAVAZOS #14027	EMP [REDACTED]	UNIT 606	DOA 23 JAN 2006

LOCATION OF INCIDENT [REDACTED]

DATE & TIME OF INCIDENT 14 JUL 2012 2035 HOURS

NAME OF PLAINTIFF'S ATTORNEY [REDACTED]

TELEPHONE

PLAINTIFF [REDACTED]

ALLEGATION(S): PLAINTIFF ALLEGES MALICIOUS PROSECUTION AND CONSPIRACY.

COMPLAINT REGISTER NUMBER 1075 022

UNIT ASSIGNED TO INVESTIGATION BUREAU OF INTERNAL AFFAIRS

BUREAU OF INTERNAL AFFAIRS
Investigations Division
General Investigations Section

18 May 2015
Log No.: 1075022

To: Juan J. Rivera
Chief
Bureau of Internal Affairs

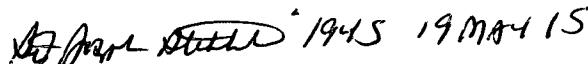
From: P.O. T. Batey #11794
Investigations Division
General Investigations Section

Subject: Completion of Complaint Log Number 1075022

The following investigation is completed and submitted for your approval.


Terry Batey
Police Officer
Bureau of Internal Affairs – General Investigations Section

APPROVED:

 1945 19 May 15
Case Management Supervisor – Joseph Stehlik
Sergeant
Bureau of Internal Affairs – General Investigations

SUMMARY REPORT DIGEST

CHICAGO POLICE DEPARTMENT

LOG NO

1075022

TYPE

INFO

DATE OF REPORT

18-MAY-2015

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION.

TO: DEPUTY SUPERINTENDENT, BUREAU OF PROFESSIONAL STANDARDS
ATTENTION: CHIEF, INTERNAL AFFAIRS DIVISION

FROM - INVESTIGATOR'S NAME	RANK	STAR NO	EMPLOYEE NO	UNIT ASSIGNED	UNIT DETAILED
BATEY, TERRY	9161	11794		121	

REFERENCE NOS.(LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

INCIDENT ADDRESS	DATE / TIME:14-JUL-2012 20:07	BEAT: 612
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ACCUSED

NAME	RANK	STAR NO	EMP NO	UNIT ASSIGNED	UNIT DETAILED	SEX/RACE	DOB	APPOINTED DATE	ON DUTY ?	SWORN ?
EBERLE, KEVIN R	9165	20817		620		M / WHI		22-NOV-1993	YES	YES
FORBERG, BRIAN P	9171	1373		005	212	M / WHI		10-JUL-1995	UNK	YES
BARTIK, ROBERT A	9171	907		006	171	M / WHI		07-NOV-1988	YES	YES
JONES, DEVINN D	9165	20668		620		M / BLK		04-OCT-1999	UNK	YES
WALTER, SAJIT	9161	11288		003	114	M / API		01-MAY-2006	UNK	YES
CAVAZOS, JESSE P	9161	14027		006	606	M / S		23-JAN-2006	YES	YES

REPORTING PARTY

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
				/	/

VICTIMS

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
				/ BLK	/

WITNESSES

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE

* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

ALLEGATIONS

NOTE: Complaint Log "Type" remains classified Info-Sworn Affidavit NOT on file.

Allegation:

[REDACTED] an attorney alleges on 11 July 2014 at 2035 hours at [REDACTED] that the accused Department member engaged in malicious prosecution and conspiracy against her client, [REDACTED]

SUMMARY

On 06 May 2015 at 1634 hours, R/I telephoned Reporting Third Party, Attorney [REDACTED] at the number [REDACTED] listed on the face sheet. R/I spoke with [REDACTED] and he indicated that [REDACTED] was unavailable. R/I then left a message with [REDACTED] to return R/I's telephone call. (Attachment #1, #5)

In addition, on 06 May 2015, R/I mailed a certified letter to [REDACTED] at the address listed on the face sheet with tracking number: [REDACTED]. According to the USPS website, the certified letter was delivered on 12 May 2015 at 1430 hours. As of the date of this report, R/I have not received any form of communication from [REDACTED] regarding the allegation of her client, [REDACTED] (Attachment #1, 6, 7)

The undersigned cannot verify the allegations contained in the Complaint Log due to [REDACTED]; lack of cooperation in the investigation of the allegation. Based on the absence of a Sworn Affidavit, this investigation cannot proceed.

This case is to be CLOSED – NO CONVERSION.

ATTACHMENTS

INVESTIGATIVE REPORTS - SUPPORTING ALLEGATIONS LIST ATTACHMENTS NUMBER	INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBERS(S) LIST ATTACHMENTS NUMBER:	PHYSICAL EVIDENCE LIST ATTACHMENTS NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
0	0	0	7

FINDINGS - RECOMMENDATIONS

Accused #1: DET. K. EBERLE #20817, Unit Assigned 620
Allegation: No Affidavit

Accused #2: SGT. B. FORBERG #1373, Unit Assigned 005, Unit Detailed 212
Allegation: No Affidavit

Accused #3: SGT. R. BARTIK #907, Unit Assigned 006, Unit Detailed 171
Allegation: No Affidavit

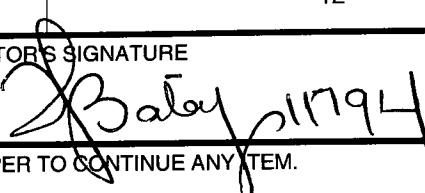
Accused #4: DET. D. JONES #20668, Unit Assigned 620
Allegation: No Affidavit

Accused #5: P.O. S. WALTER #11288, Unit Assigned 003, Unit Detailed 114
Allegation: No Affidavit

Accused #6: P.O. J. CAVAZOS #14027, Unit Assigned 006, Unit Detailed 606
Allegation: No Affidavit

RECOMMENDATIONS:

No Disciplinary action warranted; case to be filed.

DATE INITIATED (Date incident was received for investigation)	DATE COMPLETED (Date of this report)	ELAPSED TIME (Total time expressed in days)
06-MAY-2015	18-MAY-2015	12
Investigator will initiate the Command Channel Review form by completing the Investigator's Section.	INVESTIGATOR'S SIGNATURE 	
IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.		

Attachments

No.	Type	Related Person	No. of Pages	Narrative	Original In File	Entered By	Entered Date/Time	Status	Approve Content?	Approve Inclusion?	Comments
[View] 1	FACE SHEET	N/A			QUERFURTH, PATRICK	05-MAY-2015 15:12		[EDIT]			
[View] 2	CONFLICT CERTIFICATION	N/A			BATEY, TERRY	06-MAY-2015 16:46		[EDIT]			
[View] 3	SWORN AFFIDAVIT FROM COMPLAINANT	N/A	1	Sworn Affidavit	YES	BATEY, TERRY	18-MAY-2015 20:46	APPROVED [EDIT]		YES	
[View] 4	COURT DOCUMENTS (E.G., CIVIL COMPLAINTS, BOND SLIPS)	N/A	22	Civil Law Suit	YES	BATEY, TERRY	18-MAY-2015 20:46	APPROVED [EDIT]		YES	
[View] 5	ATTEMPT TO CONTACT	N/A	1	Attempt Telephone Contact	YES	BATEY, TERRY	18-MAY-2015 20:47	APPROVED [EDIT]		YES	
[View] 6	LETTER TO ATTORNEY	N/A	3	Certified Letter	YES	BATEY, TERRY	18-MAY-2015 20:48	APPROVED [EDIT]		YES	
[View] 7	U.S.P.S. (USPS) TRACKING REPORT	N/A	1	USPS Tracking Confirmation	YES	BATEY, TERRY	18-MAY-2015 20:48	APPROVED [EDIT]		YES	